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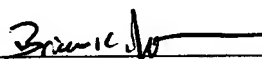
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stephen R. Kay Group Art Unit: 2837
Serial No.: 10/693,857 Examiner: Jeffrey Donels
Filed: 10-24-03 Atty Dkt No.: KARMA 3.1-003US
Title: Method and Apparatus for Customer No.: 39428
Phase-Controlled Music
Generation Dated: 8-12-2004

CERTIFICATE OF MAILING

I hereby certify that correspondence is being deposited on August 12, 2004 with the
U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



Brian K. Johnson - Reg. No. 46,808

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Several attached PTO-1449 forms are presented as described below;

Listed on five (5) of the attached forms PTO-1449 are a number of
documents which the PTO may consider material to the examination of this application.

Each reference in the attached sheets was previously submitted with one or more
Information Disclosure Statements filed in one or more of the priority Patent

Applications, Serial Nos. 09/966,428 now U.S. Patent 6,693,141; 09/616,210 now U.S.

Patent 6,326,538 and 09/239,488 now U.S. Patent 6,121,532 or otherwise cited by the Examiner in those applications. Copies of these references are not provided herewith since they have been previously provided in these prior applications. Applicant respectfully requests that these documents be considered by the Examiner, made of record in the present application, and an initialed copy of the Form PTO-1449 be returned in accordance with M.P.E.P. §609.

Also, listed on one (1) of the attached PTO-1449 forms are a number of documents which the PTO may consider material to the examination of this application. Each item of information continue in this IDS was first cited in a search report mailed February 23, 2004 from the European Patent Office, a copy of which is enclosed. Copies these references are provided herewith. Applicant respectfully requests that these documents be considered by the Examiner, made of record in the present application, and an initialed copy of the Form PTO-1449 be returned in accordance with M.P.E.P. §609.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made or that no other material information exists. Further, the filing of this information disclosure statement shall not be construed as an admission against interest in any manner or as an admission that the information cited is, or is considered to be material to patentability.

This information disclosure statement is being filed under 37 C.F.R.

§1.97(b)(3) and no fee is believed to be due for filing this Statement. Although it is true that an Office Action was mailed in this case on May 18, 2004, the Examiner inadvertently examined the cancelled claims in that Office action. Thus, the Applicant respectfully asserts that a first Office Action on the merits has not been provided in this case as of the date of the mailing of this IDS. Nonetheless, the Commissioner, is authorized to charge any fees or credit overpayments to Deposit Account. No. 50-1886.

Respectfully Submitted,



Brian K. Johnson
Reg. No. 46,808

Dated: August 12, 2004

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FACSIMILE: 810.815.5112

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

ATTY DOCKET NO.

142287 3.1-20305

SERIAL NO.

10/493,857

Stephen R. Kay

FILING

10/24/03

GROUP

2837

U.S. PATENT DOCUMENTS

EXAMINER INITIAL TRADE MARK OFFICE	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AA	3,629,480	04/10/1970	Harris	84	1	
AB	4,122,743	10/31/1978	Tomizawa et al.	84	1	
AC	4,181,059	01/01/1980	Weber	84	1	
AD	4,198,892	04/22/1980	Gross	84	1	
AE	4,208,938	06/24/1980	Kondo	84	1	
AF	4,217,804	08/19/1980	Yamaga et al.	84	1	
AG	4,307,644	12/29/1981	Aoki	84	1	
AH	4,399,731	08/23/1983	Aoki	84	1	
AI	4,526,078	07/02/1985	Chadabe	84	1	
AJ	4,708,046	11/24/1987	Kozuki	84	1	
AK	4,901,616	02/20/1990	Matsubara et al.	84	1	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
AL							
AM							
AN							
AO							
AP							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AR	
AS	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 600; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

ATTY DOCKET NO. 1422MA 3.1-20303		SERIAL NO. 10/697,857
Stephen R. Kay		
FILED 10/24/03	GROUP 2837	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILED DATE IF APPROPRIATE
	BA	4,915,007	04/10/1990	Wachi et al.	84	82	
	BB	4,930,390	06/05/1990	Kellogg et al.	84	611	
	BC	4,969,384	11/13/1990	Kawasaki et al.	84	612	
	BD	4,998,960	03/12/1991	Rose et al.	84	662	
	BE	5,099,738	03/31/1992	Hotz	84	617	
	BF	5,136,914	08/11/1992	Letts et al.	84	615	
	BG	5,146,833	09/15/1992	Lui	84	462	
	BH	5,248,842	09/28/1993	Saito	84	602	
	BI	5,281,754	01/25/1994	Farrett et al.	84	609	
	BJ	5,357,048	10/18/1994	Sgroi	84	645	
	BK	5,375,501	12/27/1994	Okuda	84	611	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	BL							
	BM							
	BN							
	BO							
	BP							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	BR	
	BS	

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

ATTY DOCKET NO. LAmpr 3.1203 US	SERIAL NO. 10/692,857
Stephen R. Kay	
FILING 10/24/07-	GROUP 2837

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	CA	5,451,709	09/19/1995	Minamitaka	84	609	
	CB	5,488,196	01/30/1996	Zimmerman et al.	84	612	
	CC	5,495,072	02/27/1996	Kunagi	84	601	
	CD	5,496,962	03/05/1996	Meier et al.	84	601	
	CE	5,502,274	03/26/1996	Hotz	84	613	
	CF	5,512,704	04/30/1996	Adachi	84	605	
	CG	5,565,640	10/15/1996	Hasebe	84	612	
	CH	5,612,501	03/18/1997	Kondo et al.	84	637	
	CI	5,619,003	04/08/1997	Hotz	84	615	
	CJ	5,627,335	05/06/1997	Rigopoulos et al.	84	635	
	CK	5,714,705	02/03/1998	Kishimoto et al.	84	651	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	CL							
	CM							
	CN							
	CO							
	CP							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	CR	Overture Reference Manual Software Reference Guide, Simpson, Gregory A. 1994
	CS	MIDE Reference Manual for Vision and Studio Vision Pro, Version 4.5 Opcode Systems Inc., Opcode Part No. 110-0204-m07, 1999.

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

ATTY DOCKET NO.

12A001A 3,1-00303

SERIAL NO.

10/653,857

Stephen R. Kay

FILING

10/24/03

GROUP

2837

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	DA	5,726,374	03/10/1998	Vandervoort	84	638	
	DB	5,763,804	06/09/1998	Rigopoulos et al.	84	635	
	DC	5,864,079	01/26/1999	Matsuda	84	619	
	DD	5,883,325	03/16/1999	Pierce	84	615	
	DE	5,159,141	10/1992	Iba	84	619	
	DF	5,739,453	04/1998	Chihana et al.	84	619	
	DG	5,396,828	3/1995	Ferrand	84	462	
	DH	5,852,251	12/1998	Su, et. al.	84	645	
	DI	5,880,392	3/1999	Wessal, et al.	84	622	
	DJ	5,900,567	8/5/1999	Fay, et. al.	84	619	
	DK	5,160,799	11/1992	Tozuka et al.	84	653	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	DL							
	DM							
	DN							
	DO							
	DP							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	DR	M and Jam Factory, David Zicarelli, Computer Music Journal, Vol 11, No 4, Winter 1987
	DS	M-The Intelligent Composing and Performing System, Software Operator's Manual, David Zicarelli, et al., Version 2.5, August 1997

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO - 1449		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. KARMA 7.1-00205		Serial No. 10/693,857	
INFORMATION CITED BY APPLICANT (Use several sheets if necessary)				Applicant Stephen R. Kay			
				Filing Date 10/24/03		Art Unit 2837	
U.S. Patent Documents							
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if appropriate	
	4 653 374	13/0587	Iba.	84	626		
	5 121 669	6/1792	Iba et. al	84	737		
	5 159 141	10/1592	Iba	84	619		
	5 735 435	4/1598	Chihara et. al.	84	615		
Foreign Patent Documents							
	Document Number	Date	Country	Class	Subclass	Translation	
Other Prior Art (including Author, Title, Date, Pertinent Pages, etc.)							
Examiner				Date Considered			

p. 5 of 6

Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office INFORMATION CITED BY APPLICANT (Use several sheets if necessary)	Atty. Docket No.	Serial No.
	KARMA 3.1-003US	10/693,857
	Applicant	
	Stephen R. Kay	
	Filing Date	Group
	10/24/03	2837

U.S. Patent Documents

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if appropriate
	4,399,731	08/23/83	Aoki	84	1.03	
	5,496,962	03/05/96	Meier, et al.	84	601	

Foreign Patent Documents

Document Number	Date	Country	Class	Subclass	Translation
WO9624422 A	8/15/1996	PCT	A63H		

Other Prior Art (including Author, Title, Date, Pertinent Pages, etc.)

Examiner	Date Considered